

## **REMARKS**

### **Status of Claims**

Claims 4-8, 10, 13, and 21-22 are canceled without prejudice or disclaimer. Claims 1, 3, 12, 14-15, and 19-20 have been amended. New claims 23-30 have been added. No new matter has been added. Claims 1-3, 9, 11-12, 14-20, and 23-30 are pending in the application.

### **Amendments to the Specification**

Paragraph [0002] of the specification has been amended to correct typographical errors and to improve clarity. No new matter has been added.

### **Claims 1-3, 9, 11-12, and 14-19 are Allowable**

The Office has rejected claims 1-3, 5-7, and 9-19, at pages 2-14 of the Final Office Action, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent Application Publication No. 2003/0035471 ("Pitsoulakis"), in view of U.S. Patent No. 6,389,542 ("Flyntz") and further in view of U.S. Patent Application No. 2004/0034872 ("Huyge"). Claims 5-7, 10, and 13 have been canceled without prejudice or disclaimer. Applicants respectfully traverse the rejections.

### **Claims 1-3, 9, and 11-12**

The cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Pitsoulakis, Flyntz, and Huyge fail to disclose or suggest extinguishing a second visual indicator in response to a failure associated with an information service, as in claim 1.

The Office admits, at page 4 of the Final Office Action, that Pitsoulakis does not teach extinguishing a visual indication of accessibility of an information service when the information service is not in operation. (Emphasis added).

Flyntz describes a switch that controls power to each security level of a multilevel computer security system. *See* Flyntz, Abstract. Flyntz describes that when power is switched to a first security level of the multilevel computer security system, a light emitting diode (LED) indicator of the first security level is turned on to indicate that all devices at the first security

level are powered. *See* Flyntz, col. 5, lines 40-44 and 55-61. When a second security level is then accessed, the switch operates to remove power from the first security level causing the LED indicator of the first security level to be turned off. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. (Emphasis added). Flyntz describes that the LED indicator indicates that power was switched from the corresponding security level. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. The cited portions of Flyntz do not disclose or suggest extinguishing a second visual indicator in response to a failure associated with an information service, as in claim 1.

Huyge describes a manner in which a user may reset a modem to factory default values. *See* Huyge, Abstract. The modem includes a microprocessor that controls a two-color LED for conveying modem status information. *See* Huyge, paragraph [0015]. (Emphasis added). In Huyge, the LED is off when the modem is off. *See* Huyge, paragraph [0016]. The LED emits a continuous orange light during a boot period and a continuous green light during a self-test period and also during operation. *See* Huyge, paragraphs [0019]-[0024]. The cited portions of Huyge do not disclose or suggest extinguishing a second visual indicator in response to a failure associated with an information service, as in claim 1.

Therefore, the cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 1. Hence, claim 1 is allowable. Claims 2-3, 9, and 11-12 depend from claim 1 and are allowable at least by virtue of their dependence from claim 1.

#### Claims 14-18

The cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 14. For example, the cited portions of Pitsoulakis, Flyntz, and Huyge fail to disclose or suggest a data detection mechanism operable to output an access signal in response to a determination that a user of the system is authorized to access a remote information service, the data detection mechanism operable to extinguish the access signal in response to detection of a failure associated with the remote information service, as in claim 14.

The Office admits, at page 10 of the Final Office Action, that Pitsoulakis does not teach a data detection mechanism operable to extinguish an access signal when a remote information service is not in operation. (Emphasis added).

Flyntz describes a switch that controls power to each security level of a multilevel computer security system. *See* Flyntz, Abstract. Flyntz describes that when power is switched to a first security level of the multilevel computer security system, a light emitting diode (LED) indicator of the first security level is turned on to indicate that all devices at the first security level are powered. *See* Flyntz, col. 5, lines 40-44 and 55-61. When a second security level is then accessed, the switch operates to remove power from the first security level causing the LED indicator of the first security level to be turned off. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. (Emphasis added). Flyntz describes that the LED indicator indicates that power was switched from the corresponding security level. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. The cited portions of Flyntz fail to disclose or suggest a data detection mechanism operable to extinguish an access signal in response to detection of a failure associated with a remote information service. The cited portions of Flyntz do not disclose or suggest a data detection mechanism operable to output an access signal in response to a determination that a user of the system is authorized to access a remote information service, the data detection mechanism operable to extinguish the access signal in response to detection of a failure associated with the remote information service, as in claim 14.

Huyge describes a manner in which a user may reset a modem to factory default values. *See* Huyge, Abstract. The modem includes a microprocessor that controls a two-color LED for conveying modem status information. *See* Huyge, paragraph [0015]. (Emphasis added). In Huyge, the LED is off when the modem is off. *See* Huyge, paragraph [0016]. The LED emits a continuous orange light during a boot period and a continuous green light during a self-test period and also during operation. *See* Huyge, paragraphs [0019]-[0024]. The cited portions of Huyge fail to disclose or suggest a data detection mechanism operable to extinguish an access signal in response to detection of a failure associated with a remote information service. The cited portions of Huyge do not disclose or suggest a data detection mechanism operable to output an access signal in response to a determination that a user of the system is authorized to access a remote information service, the data detection mechanism operable to extinguish the access

signal in response to detection of a failure associated with the remote information service, as in claim 14.

Therefore, the cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 14. Hence, claim 14 is allowable. Claims 15-18 depend from claim 14 and are allowable at least by virtue of their dependence from claim 14.

#### Claim 19

The cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 19. For example, the cited portions of Pitsoulakis, Flyntz, and Huyge fail to disclose or suggest providing a subscriber with a broadband modem, the broadband modem including a first indicator operable to display a connectivity status indicating whether a connection exists between the broadband modem and a network aggregation node, and the broadband modem including a second indicator operable to indicate a failure associated with a remote information service that is accessed by the broadband modem via the network aggregation node, as in claim 19.

The Office admits, at page 13 of the Final Office Action, that Pitsoulakis does not teach a second indicator operable to indicate when a remote information service is not in operation. (Emphasis added).

Flyntz describes a switch that controls power to each security level of a multilevel computer security system. *See* Flyntz, Abstract. Flyntz describes that when power is switched to a first security level of the multilevel computer security system, a light emitting diode (LED) indicator of the first security level is turned on to indicate that all devices at the first security level are powered. *See* Flyntz, col. 5, lines 40-44 and 55-61. When a second security level is then accessed, the switch operates to remove power from the first security level causing the LED indicator of the first security level to be turned off. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. (Emphasis added). Flyntz describes that the LED indicator indicates that power was switched from the corresponding security level. *See* Flyntz, col. 7, lines 12-21, and col. 8, lines 30-46. The cited portions of Flyntz fail to disclose or suggest a second indicator operable to indicate a failure associated with a remote information service. The cited portions of Flyntz

do not disclose or suggest providing a subscriber with a broadband modem, the broadband modem including a first indicator operable to display a connectivity status indicating whether a connection exists between the broadband modem and a network aggregation node, and the broadband modem including a second indicator operable to indicate a failure associated with a remote information service that is accessed by the broadband modem via the network aggregation node, as in claim 19.

Huyge describes a manner in which a user may reset a modem to factory default values. *See Huyge*, Abstract. The modem includes a microprocessor that controls a two-color LED for conveying modem status information. *See Huyge*, paragraph [0015]. (Emphasis added). In Huyge, the LED is off when the modem is off. *See Huyge*, paragraph [0016]. The LED emits a continuous orange light during a boot period and a continuous green light during a self-test period and also during operation. *See Huyge*, paragraphs [0019]-[0024]. The cited portions of Huyge fail to disclose or suggest a second indicator operable to indicate a failure associated with a remote information service. The cited portions of Huyge do not disclose or suggest providing a subscriber with a broadband modem, the broadband modem including a first indicator operable to display a connectivity status indicating whether a connection exists between the broadband modem and a network aggregation node, and the broadband modem including a second indicator operable to indicate a failure associated with a remote information service that is accessed by the broadband modem via the network aggregation node, as in claim 19.

Therefore, the cited portions of Pitsoulakis, Flyntz, and Huyge, individually or in combination, do not disclose or suggest the specific combination of claim 19. Hence, claim 19 is allowable.

#### **Claim 20 is Allowable**

The Office has rejected claims 20-21, under 35 U.S.C. § 103(a), at pages 14-15 of the Final Office Action, as being unpatentable over 2003/0035471 (“Pitsoulakis”), in view of Flyntz and further in view of U.S. Patent No. 6,823,480 (“Brown”). Claim 21 has been canceled without prejudice or disclaimer. Applicants respectfully traverse the rejection.

Claim 20 depends from claim 19. As explained above, the cited portions of Pitsoulakis and Flyntz fail to disclose or suggest at least one element of claim 19. The cited portions of Brown

fail to disclose or suggest those elements of claim 19 not disclosed or suggested by the cited portions of Pitsoulakis and Flyntz. For example, the cited portions of Brown fail to disclose or suggest providing a subscriber with a broadband modem, the broadband modem including a first indicator operable to display a connectivity status indicating whether a connection exists between the broadband modem and a network aggregation node, and the broadband modem including a second indicator operable to indicate a failure associated with a remote information service that is accessed by the broadband modem via the network aggregation node, as in claim 19. Brown describes a modem 12 in communication with a Cable TV (CATV) provider. *See* Brown, col. 4, lines 44-55. A controller 60 of the modem 12 initiates registration of the modem 12 and the registration is completed when a configuration of the modem 12 matches a configuration that is previously stored at the CATV head-end. *See* Brown, col. 4, lines 44-55. Light Emitting Diodes (LEDs) 89 indicate an on-line state when the configurations match. *See* Brown, col. 4, lines 44-55. The cited portions of Brown do not disclose or suggest a modem including an indicator operable to indicate a failure associated with a remote information service. The cited portions of Brown do not disclose or suggest providing a subscriber with a broadband modem, the broadband modem including a first indicator operable to display a connectivity status indicating whether a connection exists between the broadband modem and a network aggregation node, and the broadband modem including a second indicator operable to indicate a failure associated with a remote information service that is accessed by the broadband modem via the network aggregation node, as in claim 19.

Therefore, the cited portions of Pitsoulakis, Flyntz, and Brown, individually or in combination, fail to disclose or suggest the specific combination of claim 19. Hence claim 19 is allowable over the cited portions of Pitsoulakis, Flyntz, and Brown, and claim 20 is allowable at least by virtue of its dependence from claim 19.

#### **Claim 4 is Allowable**

The Office has rejected claim 4, at page 15 of the Final Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Pitsoulakis in view of Flyntz, further in view of Huyge, and further in view of U.S. Patent No. 6,553,022 (“Hartmaier”). Claim 4 has been canceled without prejudice or disclaimer, rendering the rejection moot.

**Claims 23-30 are Allowable**

New claims 23-30 have been added and are supported by the specification. No new matter has been added.

Claims 23-25 depend from claim 1, which Applicants have shown to be allowable. Therefore, claims 23-25 are allowable at least by virtue of their dependence from claim 1.

Claims 26-28 depend from claim 14, which Applicants have shown to be allowable. Therefore, claims 26-28 are allowable at least by virtue of their dependence from claim 14.

Claims 29-30 depend from claim 19, which Applicants have shown to be allowable. Therefore, claims 29-30 are allowable at least by virtue of their dependence from claim 19.

**CONCLUSION**

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

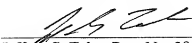
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited references, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

11-1-2010  
Date

  
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